

AO 91 (Rev. 11/11) Criminal Complaint

**Sealed**Public and unofficial staff access  
to this instrument are  
prohibited by court order**UNITED STATES DISTRICT COURT**

for the

Southern District of Texas

United States Courts  
Southern District of Texas  
**FILED***October 19, 2023*

Nathan Ochsner, Clerk of Court

United States of America )

v. )

Daruin Anelby Rosario )

Case No.

**4:23-mj-2016**\_\_\_\_\_  
*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 16 2023 - Sept. 7, 2023 in the county of Harris in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC § 1708	Theft or receipt of stolen mail matter
18 USC § 1704	Keys or locks stolen or reproduced

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.Submitted by reliable electronic means, sworn  
to,  
signature, attested telephonically per  
Fed.R.Crim.P.4.1, and probable cause found on:Date: 10/19/2023City and state: Houston, Texas*Complainant's signature*

Jeff Andre, US Postal Inspector

*Printed name and title**Judge's signature*

Christina A. Bryan, United States Magistrate Judge

*Printed name and title*

**Sealed**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN THE MATTER OF THE ARREST OF  
Daruin Anelby Rosario

Case No. **4:23-mj-2016**

**Filed Under Seal**

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Jeff Andre, being duly sworn, hereby depose and say:

1. Affiant is a Postal Inspector (PI) with the United States Postal Inspection Service (USPIS) and has been so employed since August 2019. Affiant is currently assigned to the USPIS Financial Crimes Team, which is tasked with the investigation of complex mail theft crimes, including but not limited to, credit card fraud, money order fraud and identity theft. Affiant has gained experience in conducting such investigations through on the job training and everyday work-related investigations. Affiant has personally participated in investigations involving violations of federal law regarding mail theft and criminal groups that result from such unlawful activity. As a Postal Inspector, Affiant is authorized to investigate violations of the United States and to seek forfeiture of property under authority of the United States.

2. Affiant submits this affidavit in support of a Criminal Complaint charging Daruin Anelby **ROSARIO** with violations of Title 18 U.S. Code § 1708 (Theft or receipt of stolen mail matter) and Title 18 U.S. Code § 1704 (Keys or locks stolen or reproduced).

3. Because this affidavit is being submitted for the limited purpose of securing a Criminal Complaint, Affiant has not included each and every fact known by the Affiant concerning the ongoing investigation. This affidavit is based upon Affiant's personal knowledge, or from information obtained or provided via records, and interviews of witnesses and other law enforcement agents. Where statements of others are set forth in this affidavit, they are set forth in substance and in part.

4. On July 6, 2023, your Affiant received a complaint from the Richmond Police Department

regarding an increase in theft/forgery cases they've received. The victims in the complaints advised they mailed checks from the USPS blue collection box in front of the Richmond Post Office located at 5560 FM1640, Richmond, TX 77469. The mailed checks were stolen from the mail and did not make it to their intended destinations. The checks were negotiated causing a financial loss to the victims who placed their checks inside of the USPS blue collection box and/or inside of the outgoing mail slot inside of the Richmond Post Office.

5. After reviewing the complaint, your Affiant responded to the Richmond Post Office and inspected the USPS blue collection box. Your Affiant observed there were no signs of forced entry to the USPS blue collection box. Based on your Affiant's training and experience with mail theft investigations, accessing any mail receptacle without force is indicative that a USPS arrow key (master key) or counterfeit arrow key was likely used. An arrow key is a highly sought-after tool that criminals use to open USPS mail receptacles to steal mail to conduct other crimes primarily related to financial crimes and identity theft.

6. An arrow key is property of the USPS and is a serialized master key and is cut specifically to access USPS receptacles. An arrow key is utilized by USPS employees, and it allows access to USPS mail receptacles (which includes CBUs) on a particular route. USPS arrow keys are only authorized to be used by USPS employees during scheduled work hours. Your Affiant noted the time of the mail theft incidents were outside of normal USPS work hours.

7. Due to the increase in mail theft complaints occurring from the Richmond Post Office, your Affiant requested covert surveillance cameras and sensors be installed on the USPS blue mail collection box on or about July 14, 2023. On July 16, 2023, at approximately 8:27 pm, your Affiant received a motion sensor alert from the USPS blue collection box. The alert indicated that the access door to the collection box was opened. Your Affiant reviewed the surveillance video during the time of the alert and observed a black four door Chevrolet Impala with chrome accents and tinted windows drive up to the USPS mailbox. Your Affiant observed the front passenger of the vehicle (later identified as Daruin A. Rosario, hereafter ROSARIO) exit the vehicle and open the mailbox with a key.



8. Your Affiant observed the front passenger (ROSARIO) to exhibit a large build, light brown complexion male, with black hair, and black facial hair. ROSARIO was observed wearing a white t-shirt, green and white gym shorts, and black sandals. ROSARIO was observed removing the mail from inside the USPS mailbox and dumping it into the vehicle through the rear passenger side window. ROSARIO was observed locking the USPS mailbox before leaving the property in the same vehicle.

9. On July 24, 2023, at approximately 8:57 pm, your Affiant received a motion sensor alert from the USPS blue collection box. The alert indicated that the access door to the collection box was opened. Your Affiant reviewed the surveillance video during the time of the alert and observed a black four door Chevrolet Impala with chrome accents and tinted windows drive up to the USPS mailbox. Your Affiant recognized this vehicle to be the same vehicle from the mail theft incident that occurred on July 14, 2023. The vehicle had Texas plate SGL9221 affixed to the front bumper and rear of the vehicle. Your Affiant observed the same male suspect (ROSARIO) from the July 14, 2023, exit the vehicle. ROSARIO was wearing the same green and white gym shorts and black sandals. ROSARIO opened the mailbox with key, removed the mail from within, and dumped it in the rear passenger seat through the rear passenger side window. ROSARIO was observed locking the USPS mailbox before leaving the property. The same activity was also captured on surveillance video on August 6, 2023.

10. Through a law enforcement investigative database, your Affiant ascertained Texas plate SGL9221 was registered to a 2017 Chevrolet Impala (VIN: 2G1105S36H9180684). The listed registered owner was Jaznee Eaglin (EAGLIN). Through law enforcement investigative means, your Affiant identified EAGLIN as the girlfriend of Daruin A. Rosario (ROSARIO). Your Affiant obtained a photo for ROSARIO and positively confirmed him as the male suspect observed on surveillance video stealing mail from the USPS blue mailbox located in front of the Richmond Post Office. Your Affiant noted ROSARIO is currently on supervised release for a prior mail theft offense and has a criminal history that includes forgery, tampering with evidence, and conspiracy to steal and possess stolen mail, possession of stolen mail, and conspiracy to defraud the US government (bank fraud).

11. On July 26, 2023, your Affiant arrived at the Marquis at The Reserved located at 700 Cobia Dr., Katy, TX 77494 to locate the black Chevrolet Impala bearing TX-SGL9221 plates. Your Affiant made contact and spoke with the property manager. The property manager advised that the registered owner of the Black Chevrolet Impala (EAGLIN) lived on property in apartment #514 with her boyfriend ROSARIO. Both EAGLIN and ROSARIO were evicted for non-payment on or about July 11, 2023. The property manager positively identified ROSARIO via physical descriptors and from a photo from the mail theft incidents captured on surveillance video.

12. Your Affiant ascertained on or about July 19, 2023, management from the Marquis at The Reserved entered apartment #514 pursuant to an eviction for a walk-through to begin the process of getting the apartment cleaned out. Upon entry to the apartment, they observed the unit was vacated with miscellaneous items left behind. Of the items that were left behind, a small clear plastic shopping bag containing multiple personal and business checks in different names was found on the kitchen counter. The checks were addressed to and/or from multiple addresses within Richmond, TX and Rosenberg, TX. They also observed several debit credit cards in different names on the kitchen countertop. Photos of the found items were taken by property management and recovered. The checks and debit/credit cards were stored in the leasing office. On July 26, 2023, your Affiant recovered a plastic bag containing 60 checks and three debit and credit cards from the Marquis at The Reserved management office. Your affiant confirmed that none of the mail matter belonged to ROSARIO or EAGLIN.

13. On August 10, 2023, your Affiant was referred a mail theft complaint from USPSOIG. The complaint was in reference to a Crest Operating business check #2771 that was mailed from the Richmond Post Office. The check was stolen, altered, and deposited into an unauthorized bank account. Crest Operating check #2771 was originally made out to Millenium-Windfall Partners. Crest Operating check #2771 was placed in the US Mail inside of the Richmond Post Office and was addressed to 4265 San Felipe, Suite 550, Houston, TX 77027. Bank of America (BOA) was identified as the bank of first deposit and a subpoena was served to them. BOA subpoena returns identified Virginia Aixa Morciglio (MORCIGLIO) as the account holder. Your Affiant reviewed BOA ATM surveillance photos from June 5, 2023, of the Crest Operating business check #2771 deposit. Your Affiant positively identified the male suspect conducting the deposit as ROSARIO.



Your Affiant also observed ROSARIO arrive in a black Chevrolet Impala believed to be the same Impala registered to EAGLIN.

14. On August 23, 2023, your Affiant made contact with Crest Operating Company via telephone. Your Affiant ascertained MORCIGLIO, EAGLIN, and ROSARIO are not employees of Crest Operating Company and did not have the authority to be in possession of their business check. Crest Operating Company is at a temporary loss of \$7,517.73 pending a fraud investigation by BOA.

15. On September 7, 2023, at approximately 8:41 pm, your Affiant received a motion sensor alert from the Richmond Post Office USPS blue collection box. The alert indicated that the access door to the collection box was opened. On September 29, 2023, your Affiant was able to access and review the surveillance video. Your Affiant observed at the time of the alert a newer model white four door Chevrolet Malibu with aluminum and black wheels drive up to the USPS mailbox. Your Affiant observed ROSARIO exit the front passenger side door and open the USPS blue collection box with a key. ROSARIO then removed the mail from the box and dumped it in the rear passenger side window. ROSARIO then secured the USPS blue collection box before exiting the property.

16. On October 4, 2023, your Affiant arrived at EAGLIN and ROSARIO's most recent listed address of 6023 Blue Pansy St., Katy, TX 77449 to conduct surveillance. While on surveillance, your Affiant observed a newer model white four door Chevrolet Malibu with aluminum and black wheels arrive at the residence and pull into the garage. Your Affiant observed EAGLIN was the driver of the vehicle. Shortly after the vehicle arrived your Affiant observed ROSARIO exit the residence from the garage. ROSARIO remained outside for several minutes before going back into the residence.

17. On the same day your Affiant observed Texas plate TFL7476 affixed to the rear of the white Chevrolet Malibu. Your Affiant queried the plate in a law enforcement database and ascertained it is registered to a 2021 Chevrolet Malibu (VIN 1G1ZD5ST7MF015803). The registered owner of the vehicle is listed as Rodney Ryan Reed (REED). Your Affiant is currently

unaware of the association between ROSARIO and REED.

18. Recently, your Affiant received two new USPS blue collection box theft complaints that occurred on or about October 3, 2023, and October 6, 2023. In both instances, mail was stolen from mailboxes that can be accessed by the same key suspect ROSARIO used during the prior observed thefts. The recent thefts also occurred during the nighttime, just as the prior thefts committed by ROSARIO. Additionally, both USPS blue collection boxes are located in Richmond, TX, just as the first four mailboxes that were unlawfully accessed by ROSARIO. Finally, the complaints advised the mailboxes were likely accessed with an arrow lock and no signs of forced entry were reported. Based on the aforementioned facts, probable cause exists to believe that ROSARIO committed the most recent mailbox thefts in addition to the aforementioned thefts captured on surveillance.

19. Based upon the totality of the foregoing facts and circumstances, Affiant believes that evidence of the violations of Title 18 U.S. Code § 1708 (Theft or receipt of stolen mail matter), Title 18 U.S. Code § 1344 (Bank fraud), and 18 U.S. Code § 1704 (Keys or locks stolen or reproduced) do exist, and that there is probable cause for the issuance of an arrest warrant for Daruin Anelby ROSARIO.

  
Jeff Andre  
United States Postal Inspector

Subscribed and sworn to telephonically in Houston, Texas, on this 19th day of ~~2023~~  
October, 2023, and I do find probable cause.

  
Christina A. Bryan  
UNITED STATES MAGISTRATE JUDGE  
Southern District of Texas